

## **REMARKS/ARGUMENTS**

### **Summary of the Examiner's Actions**

The Examiner indicated that the reference of U.S. Patent No. 6,332,457 in the Information Disclosure Statement is incorrect. Such indication is noted.

The Examiner objected to the drawings under 37 CFR § 1.83(a), stating that the drawings must show every feature of invention specified in the claims. Such objection is noted.

The examiner rejected Claims 9, 10, 16, 17, 19 and 20 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Applicant acknowledges the rejection under 35 U.S.C. § 112, second paragraph.

The examiner rejected Claims 1, 6 and 8-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. Des. 364,666 issued to Nagy; in view of U.S. Patent Application Pub. No. 2003/0008724 filed by Griffin; U.S. Patent No. 5,628,696 issued to Frye, U.S. Patent No. 1,960,110 issued to Iles and U.S. Patent Application Pub. No. 2002/0169030 filed by Chun-Sheng. Applicant acknowledges the rejection under 35 U.S.C. § 103(a).

The examiner objected to Claims 2-5 and 7 as being upon a rejected base claim and indicated that 2-5 and 7 would be allowable if rewritten in independent form include all of the limitations of the base claim and any intervening claims. Applicant appreciates such indication.

The Examiner indicated that Claims 16, 17, 19 and 20 would be allowable is rewritten or amended to overcome such rejection under 35 U.S.C. § 112, second paragraph, as stated above. Applicant is appreciative of such indication.

The examiner allowed Claims 13-15 and 18. Applicant appreciates such indication.

### **Objection to the Information Disclosure Statement**

The Examiner indicated that the reference of U.S. Patent No. 6,332,457 in the Information Disclosure Statement is incorrect. In a telephone conversation with the Examiner, the undersigned clarified that the patent number errantly on the Information Disclosure Statement should have been 6,322,457. In the same conversation, it was discussed that Patent Application Pub. No. 2003/0088724 cited

by the Examiner was incorrect. The Examiner clarified the correct number to be 2003/0008724. The Examiner indicated that due to the confusion of both typographical errors, he would issue a miscellaneous communication citing both of these references correctly. Applicant is appreciative of such action.

### **Objection to the Drawings**

The Examiner objected to the drawings under 37 CFR § 1.83(a), stating that the drawings must show every feature of invention specified in the claims. Specifically, the Examiner indicated that the slope of the sole being approximately 7 degrees in claim 12 must be shown or the feature cancelled from the claim. Claim 12 has been cancelled, without prejudice. Accordingly, it is respectfully submitted that the Examiner's objection to the drawings has been overcome.

### **Rejections under 35 U.S.C. § 112, second paragraph**

The examiner rejected Claims 9, 10, 16, 17, 19 and 20 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Specifically, the Examiner indicated that in Claims 9, 10, 16, 17 and 19, the word "conventional" is indefinite.

As indicated above, Claims 9, 10, 16, 17 and 19 have each been amended to redact the word "conventional". Accordingly, it is respectfully submitted that the examiner's rejections under 35 U.S.C. § 112, second paragraph, have been traversed, and that Claims 16, 17, 19 and 20 are in condition for allowance as indicated by the Examiner.

### **Rejections under 35 U.S.C. § 103(a)**

The examiner rejected Claims 1, 6 and 8-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. Des. 364,666 issued to Nagy; in view of U.S. Patent Application Pub. No. 2003/0008724 filed by Griffin; U.S. Patent No. 5,628,696 issued to Frye, U.S. Patent No. 1,960,110 issued to Iles and U.S. Patent Application Pub. No. 2002/0169030 filed by Chun-Sheng. As indicated above and discussed below, Claim 1 has been amended to include the limitations of Claim 2, which the Examiner has indicated is patentably distinct. Further, as indicated and discussed above, Claim 12

has been cancelled, without prejudice. Accordingly, the examiner's rejections under 35 U.S.C. § 103(a) have been traversed.

### **Claim Objections**

Claim 1 has been amended to include the limitations of Claim 2, which has accordingly been cancelled, without prejudice. Claim 3 has been amended to depend from Claim 1 in lieu of Claim 2. Claim 1 has further been amended to delete unnecessary limitations with respect to the configuration of the putter head. Specifically, the limitations that the striking face defines a planar surface and an orthogonal bisector; that the a trailing edge defines an arcuate configuration; and that the putter head is substantially symmetrical about the orthogonal bisector of the striking face have each been deleted. It is respectfully submitted that these limitations are not necessary for the patentable combination, as the Examiner has indicated that the patentable subject matter lies within the limitations of "a plurality of tabs between an arcuate recess and a sole opening, an arcuate recess being concentrically disposed with respect to a sole opening, and at least one notch being defined between an arcuate recess and a sole opening [to] define a plurality of tabs...." Accordingly, it is respectfully submitted that Claim 1 as amended, and as indicated by the Examiner, is now in condition for allowance. Further, Claims 3-11 are also in condition for allowance as depending from an allowable base claim.

New Claim 21 has been introduced to include the limitations of Claims 1 and 4, again with the exception of the limitations that the striking face defines a planar surface and an orthogonal bisector; that the a trailing edge defines an arcuate configuration; and that the putter head is substantially symmetrical about the orthogonal bisector of the striking face. It is respectfully submitted that these limitations are not necessary for the patentable combination, as the Examiner has indicated that the patentable subject matter lies within the limitation of "a shaft retriever for retrieving an elongated [object] lying on a horizontal surface...." Accordingly, it is respectfully submitted that Claim 21 as presented, and as indicated by the Examiner, is in condition for allowance. Further, new Claim 22 is also in condition for allowance as depending from an allowable base claim.

New Claim 23 has been introduced to include the limitations of Claims 1, 6 and 7, again with the exception of the limitations that the striking face defines a planar surface and an orthogonal bisector; that the a trailing edge defines an arcuate configuration; and that the putter head is substantially symmetrical about the orthogonal bisector of the striking face. It is respectfully submitted that these limitations are not necessary for the patentable combination, as the Examiner has indicated that the patentable subject matter lies within the limitation of "a C-shaped indicia extending around a ball retriever and retainer top surface opening..." Accordingly, it is respectfully submitted that Claim 23 as presented, and as indicated by the Examiner, is in condition for allowance. Further, new Claim 24 is also in condition for allowance as depending from an allowable base claim.

In view of the amendment of Claims 1 and 3, the cancellation of Claim 2, and the introduction of new Claims 21-24, it is respectfully submitted that the objection of the examiner has been traversed.

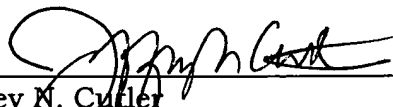
### **Summary**

In view of the amendment of Claims 1, 3, 9, 10, 16, 17 and 19, the addition of new Claims 21-24, the cancellation of Claims 2 and 12, without prejudice, and the arguments presented herein, it is believed that the above-identified patent application is in a condition for the issuance of a Notice of Allowance. Such action by the examiner is respectfully requested. If, however, the examiner is of the opinion that any of the drawings or other portions of the application are still not allowable, it will be appreciated if the examiner will telephone the undersigned to expedite the prosecution of the application.

Please charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 16-1910.

Respectfully submitted,

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